

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JOHN BOGLE,

PLAINTIFF,

V.

**ALABAMA LAW
ENFORCEMENT AGENCY, and
WILL WRIGHT,**

DEFENDANTS.

Case No.: 1:22-cv-00256-KFP

JURY TRIAL DEMANDED

**UNOPPOSED SECOND MOTION FOR LEAVE
TO FILE AMENDED COMPLAINT**

COMES NOW, Plaintiff John Bogle (“Plaintiff”) by and through the undersigned counsel pursuant to FRCP 15(a)(2), and hereby file this, his Motion for Leave to File his First Amended and Restated Complaint. In support of this motion, Plaintiff shows the Court as follows:

I. PROCEDURAL HISTORY

Plaintiff filed his Complaint on April 29, 2022. [Doc. 1]. Defendants Alabama Law Enforcement Agency and Will Wright (“Defendants”) were properly served and filed their Motion to Dismiss Plaintiff’s Complaint on June 1, 2022. [Doc. 7]. Plaintiff now files this motion for leave to file his Second Amended Complaint.

II. ARGUMENT AND CITATION TO AUTHORITY

Rule 15(a) provides that once a responsive pleading or a motion under 12(b) has been filed in a case, the parties may amend its pleading once as a matter of course. Fed. R. Civ. P. 15(a)(1)(B). The rule stipulates that “leave should be freely given when justice so requires.” Fed R. Civ. P. 15(a). In general, a motion to amend should not be denied unless there is a specific, significant reason for denial. Spanish Broadcasting System of Florida, Inc. v. Clear Channel Communications, Inc., 376 F.3d 1065, 1077 (11th Cir. 2004). In this matter, Plaintiff seeks to amend his complaint to indicate that the second Right to Sue has been received. Plaintiff has attached a true, accurate, and correct copy of Plaintiff’s Second Amended Complaint for Damages as **Exhibit “A”**.

WHEREFORE, pursuant to FRCP 15(a)(2), Plaintiff requests that this honorable Court permit **Exhibit “A”** to be filed as Plaintiff’s First Amended Complaint for Damages.

Respectfully submitted 28 September 2022.

BARRETT & FARAHANY

s/ Kira Fonteneau

Kira Fonteneau
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing Motion for Leave to File Third Amended Complaint with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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s/ Kira Fonteneau

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